

Magistrate Judge

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SEAN M. WILSON,

Defendant.

No. CR18-5482

PLEA AGREEMENT

The United States of America, by and through Annette L. Hayes, United States Attorney for the Western District of Washington, and Brittney Montgomery Sullivan, Special Assistant United States Attorney for said District, and the defendant, SEAN M. WILSON, and defendant's attorney, Steven J. Krupa, enter into the following Plea Agreement, pursuant to Rule 11(c), Federal Rules of Criminal Procedure.

1. The defendant agrees to plead guilty to the single-count misdemeanor Superseding Information, which the defendant understands charges a violation of 18 U.S.C. §§ 7 and 13, and R.C.W. 46.61.5249 (Negligent Driving, 1st Degree).

2. Statutory Penalties. The defendant understands and acknowledges that the statutory penalties for the charge contained in the Superseding Information are imprisonment for up to ninety (90) days, a fine of up to one thousand dollars (\$1,000),

1 and a mandatory ten dollar (\$10) special assessment penalty.

2 If the defendant receives a sentence of probation, the probationary period
3 could be up to five (5) years.

4 3. Rights Waived by Pleading Guilty. The defendant understands and
5 acknowledges that by pleading guilty, the defendant knowingly and voluntarily waives
6 the following rights:

7 a. The right to plead not guilty, and to persist in a plea of not guilty;
8 b. The right to be presumed innocent until guilt has been established at
9 trial, beyond a reasonable doubt;

10 c. The right to trial before a judge, and at that trial, the right to the
11 effective assistance of counsel;

12 d. The right to confront and cross-examine witnesses against the
13 defendant;

14 e. The right to compel or subpoena witnesses to appear on the
15 defendant's behalf;

16 f. The right to testify or to remain silent at trial at which such silence
17 could not be used against the defendant; and

18 g. The right to appeal a finding of guilty or any pretrial rulings.

19 4. Applicability of Sentencing Guidelines. The defendant understands and
20 acknowledges that the Guidelines do not apply to this case.

21 5. Ultimate Sentence. The defendant acknowledges that no one has promised
22 or guaranteed what sentence the Court will impose and that the defendant may not
23 withdraw a guilty plea solely because the sentence imposed by the Court may be different
24 from the recommendation of the Government.

25 6. Sentencing Recommendation. At the time of sentencing, the Government
26 will recommend no jail time, a fine of five hundred dollars (\$500), and the mandatory ten
27 dollar (\$10) special assessment penalty.

1 7. Statement of Facts. The parties stipulate to the following facts in support of
2 the guilty plea:

3 On or about July 14, 2018, at approximately 6:15 a.m., at Joint Base
4 Lewis-McChord, Washington, within the Western District of Washington
5 and within the special maritime and territorial jurisdiction of the United
6 States, the defendant, SEAN M. WILSON, was observed by an access
7 control guard operating a blue Jeep Compass with a cracked windshield as
8 he attempted to access the base through the 41st Division Gate. As the gate
9 guard spoke with the defendant, he detected the odor of an alcoholic
10 beverage emitting from his person, and noticed that his speech was slurred.
11 A police officer was dispatched to the scene. The officer made contact with
12 the defendant and detected an odor of an alcoholic beverage emitting from
13 his person. The officer noticed that the defendant's eyes were watery and
14 droopy. The defendant stated that he had been out drinking the night before
15 with his wife and friends. The defendant voluntarily submitted to a series
16 of field sobriety tests, which showed signs of impairment. The defendant
17 submitted a breath sample with a BAC of above .08. The defendant was
18 cited and released.

19 The defendant operated a motor vehicle in a negligent manner after
20 having consumed alcohol, and was likely to endanger the safety of persons
21 or property. The defendant exhibited the effects of having consumed
22 alcohol.

23 8. Acceptance of Responsibility. The United States acknowledges that
24 defendant has assisted the United States by timely notifying the authorities of defendant's
25 intention to plead guilty, thereby permitting the United States to avoid preparing for trial
26 and permitting the Court to allocate its resources efficiently.

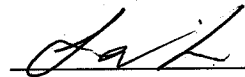
27 9. Voluntariness of Plea. Defendant acknowledges that he/she has entered
28 into this Plea Agreement freely and voluntarily, and that no threats or promises, other
than the promises contained in this Plea Agreement, were made to induce the defendant
to enter this plea of guilty.

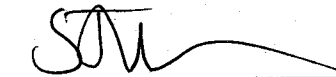
1 10. Immigration Consequences. Defendant understands that, if a non-citizen of
the United States, entering a guilty plea may have consequences regarding immigration
status. Certain crimes are deportable offenses, and a plea of guilty to any such crime may

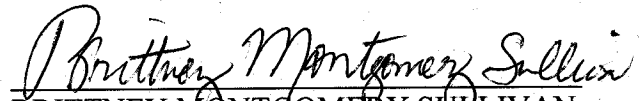
1 subject defendant to automatic deportation and removal from the United States. *See* 8
 2 U.S.C. § 1227(a)(2). Defendant affirms that he/she has been advised of the potential
 3 immigration consequences that may result from the entry of the guilty plea(s)
 4 contemplated by this Agreement and is prepared to proceed with his/her guilty plea(s)
 5 regardless of any immigration consequences that may result from this/these guilty plea(s),
 6 even if such consequences include automatic deportation and removal from the United
 7 States.

8 11. Completeness of Agreement. The United States and the defendant
 9 acknowledge that these terms constitute the entire Plea Agreement between the parties.
 10 This Plea Agreement only binds the United States Attorney's Office for the Western
 11 District of Washington. It does not bind any other United States Attorney's Office or any
 12 other office or agency of the United States, or any state or local prosecutor.

13 DATED this 17th day of December, 2018.

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 16 SEAN M. WILSON
 17 Defendant

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 19 STEVEN J. KRUPA
 20 Attorney for Defendant

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 22 BRITTNEY MONTGOMERY SULLIVAN
 23 Special Assistant United States Attorney
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